

110TH CONGRESS  
1ST SESSION

# H. R. 3204

To reform the Trade Advisory Committee system to ensure that a broad range of views are represented and accommodated in developing United States trade policy.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2007

Mr. VAN HOLLEN (for himself and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To reform the Trade Advisory Committee system to ensure that a broad range of views are represented and accommodated in developing United States trade policy.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trade Advisory Com-  
5 mittee Reform Act” or the “TAC Act”.

6 **SEC. 2. CONGRESSIONAL ADVISERS FOR TRADE POLICY**  
7 **AND NEGOTIATIONS.**

8 (a) SELECTION.—Section 161 of the Trade Act of  
9 1974 (19 U.S.C. 2211) is amended in subsection (a)—

1           (1) in paragraph (1) by striking the first sen-  
2       tence and inserting the following: “The following  
3       members of Congress shall be selected and des-  
4       ignated as congressional advisers on trade policy and  
5       negotiations: From the Committee on Ways and  
6       Means of the House of Representatives, the chair-  
7       man and ranking minority member of the full com-  
8       mittee, and the chairman and ranking minority  
9       member of the Subcommittee on Trade; from the  
10      Committee on Finance of the Senate, the chairman  
11      and ranking minority member of the full committee,  
12      and the chairman and ranking minority member of  
13      the Subcommittee on Trade.”; and

14           (2) in paragraph (2) by adding at the end the  
15      following:

16           “(D) Of the total number of members from  
17           a House of Congress selected as congressional  
18           advisers under this paragraph, not more than  
19           half may be of the same political party.”.

20      (b) EXPANSION OF ROLE.—Such section is further  
21      amended by adding at the end the following:

22           “(d) RECOMMENDATIONS BY CONGRESSIONAL AD-  
23      VISERS ON TRADE AGREEMENT EFFECTS.—Each con-  
24      gressional adviser under subsection (a) shall, on an annual  
25      basis and at any other time the congressional adviser con-

1   siders appropriate, transmit written recommendations to  
2   the covered executive branch officials on trade agreement  
3   effects. Each official to which recommendations are trans-  
4   mitted shall give due regard to the recommendations.

5       “(e) APPOINTMENTS TO TRADE ADVISORY COMMIT-  
6   TEES.—

7           “(1) NUMBER.—Every trade advisory com-  
8       mittee, whether established before, on, or after the  
9       date of the enactment of this subsection, shall have  
10      a number of members the total of which is evenly di-  
11      visible by three.

12          “(2) APPOINTMENT.—For purposes of appoint-  
13      ing the members of a trade advisory committee, the  
14      congressional advisers under subsection (a) shall be  
15      grouped by party affiliation. The group with the  
16      greatest number of advisers shall appoint one-third  
17      of the members; the group with the next-greatest  
18      number of advisers shall appoint one-third of the  
19      members; and the President (or the President’s des-  
20      ignee) shall appoint the remaining members.

21          “(3) CONSULTATION.—The congressional advis-  
22      ers are encouraged to consult with other committees  
23      of Congress, including but not limited to committees  
24      with jurisdiction over health, environmental, labor,  
25      and consumer issues, in making such appointments.

1           “(4) INTERESTS REPRESENTED.—The officials  
2       responsible for appointing the members of a trade  
3       advisory committee shall ensure that each trade ad-  
4       visory committee includes—

5           “(A) at least 1 member from labor organi-  
6       zations;

7           “(B) at least 1 member from consumer in-  
8       terest organizations; and

9           “(C) at least 1 member from public health  
10      organizations.

11          “(5) TERMS.—Each member of a trade advi-  
12      sory committee shall serve a term of 2 years.

13          “(6) OTHER PROVISIONS SUPERSEDED.—This  
14      subsection supersedes any other provision of law to  
15      the extent that provision is inconsistent with this  
16      subsection, whether enacted before, on, or after the  
17      date of the enactment of this subsection.

18          “(f) REPORTS TO CONGRESS BY TRADE ADVISORY  
19      COMMITTEES.—Before the President submits trade agree-  
20      ment legislation to Congress, each trade advisory com-  
21      mittee that has advised with respect to that legislation  
22      shall submit to the congressional advisers under sub-  
23      section (a) a report on the legislation. The report shall  
24      include an examination of the trade agreement effects of  
25      the legislation.

1       “(g) REPORTS TO CONGRESS BY EXECUTIVE  
2 BRANCH OFFICIALS.—Each covered executive branch offi-  
3 cial shall, on an annual basis, submit to Congress a report  
4 on the trade advisory process. The report shall identify  
5 the concerns raised by members of trade advisory commit-  
6 tees on the effectiveness of the process and explain the  
7 steps taken by that official to address those concerns.

8       “(h) DEFINITIONS.—In this section:

9               “(1) COVERED EXECUTIVE BRANCH OFFI-  
10 CIAL.—The term ‘covered executive branch official’  
11 applies to the following:

12                       “(A) The United States Trade Representa-  
13 tive.

14                       “(B) The Secretary of Labor.

15                       “(C) The Secretary of Agriculture.

16                       “(D) The Secretary of Commerce.

17                       “(E) The Administrator of the Environ-  
18 mental Protection Agency.

19               “(2) TRADE ADVISORY COMMITTEE.—The term  
20 ‘trade advisory committee’ includes any advisory  
21 committee with respect to United States trade pol-  
22 icy, and specifically includes any committee estab-  
23 lished under section 135.

24               “(3) TRADE AGREEMENT EFFECTS.—The term  
25 ‘trade agreement effects’—

1                   “(A) means the effects on the United  
2                   States and its trading partners of international  
3                   trade agreements; and

4                   “(B) includes effects in areas including but  
5                   not limited to public health, the environment,  
6                   worker rights, and consumer rights.”.

7 **SEC. 3. PUBLIC HEALTH ADVISORY COMMITTEE ON TRADE.**

8                   Section 135(c)(1) of the Trade Act of 1974 (19  
9                   U.S.C. 2155(c)(1)) is amended by adding at the end the  
10                  following: “The President shall establish, among the com-  
11                  mittees established under this paragraph, a Public Health  
12                  Advisory Committee on Trade.”.

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